

**“JUST
THE
FACTS”**



MTIBRS Training
& Technical
Assistance

Warrant 101 - Refresher

Warrants 101

- ▶ Did the crime listed on the warrant occur in YOUR jurisdiction?
 - ▶ If so, is the crime NIBRS reportable - was it ALREADY reported?
- ▶ In-house Warrants
 - ▶ New charges brought down from local court such as FTA, Contempt, Disorderly, etc.
 - ▶ Request for Prosecution from an Officer or County Attorney's Office
- ▶ Extra-jurisdictional Warrants
 - ▶ Original crime is only reportable from the ORIGINAL agency
 - ▶ Outside arresting agency would NOT report the crime or the arrest

- Things to consider when it comes to warrants as the type of warrant determines how your agency will respond –
- we do not want to report what has already been reported!

Warrants 101

- ▶ Every RMS and agency have their own unique way of reporting warrant circumstances
 - ▶ First & foremost - Read your agency policy!
 - ▶ Some agencies have a specific setting in place for “outside warrant” arrests so that the report is automatically excluded from NIBRS submission
- ▶ FTA’s & Contempts are likely highly underreported!
 - ▶ These particular offenses fall into the FBI’s 90Z category - “All Other Bucket”
- ▶ Warrants can lead to inflated numbers if agencies report another agency’s crime

- Warrants create confusion across the board and it is 100% understandable. In my experience as a patrolman, the biggest factor is communication between law enforcement, dispatch, records, the courts, etc. So many hands in the pot.
- We need to be careful as Warrants can lead to inflated numbers if agencies report another agency’s crime

Frequent Warrant Statutes

▶ NIBRS Reportable Statutes:

- ▶ 45-7-309 Criminal Contempt
- ▶ 46-6-212 Failure to Appear
- ▶ 45-5-626 Violation of a Protective Order
- ▶ 45-5-209 Violation of No-Contact Orders
- ▶ 46-23-1012 Probation Violation
- ▶ 46-9-503 Violation of Release Conditions
- ▶ 46-18-203 Revocation of Suspended or Deferred Sentence

▶ Non-Reportable Statutes:

- ▶ 46-30-201 Fugitives from Justice
- ▶ 46-6-210 Arrest by Peace Officer

- As most of you know, we are utilizing the Montana Supreme Court Bondbook these days to map our state statutes to the FBI – and for those of you wondering, the new bond book will not be released from the courts until spring unfortunately.
- Not ALL statutes are in the bondbook, including many of the ones listed here. We believe that the court’s reasoning being that many of these statutes have court imposed sanctions and therefore, are not utilized by officers in the field. However, patrolman end up arresting and booking individuals on warrants with these statutes – so clearly, they are needed, especially for detention booking purposes.
- So what does this mean? It means that many of these statutes will need to be manually added to your statute table within your RMS. This is usually done by someone within your department with administrative privileges. Reach out to us or your vendor if you need assistance. The biggest takeaway about manually adding these statutes is that they need to be mapped to a 90Z – which is the FBI’s “all other bucket”

Scenarios

- ▶ Scenario: Livingston PD arrests an individual on a Bozeman City Court warrant for FTA
 - ▶ Livingston PD would not report the crime or arrest to NIBRS
 - ▶ Officer could create a non-NIBRS reportable case documenting the warrant arrest but it would be excluded from NIBRS submission
 - ▶ Bozeman PD could report the crime and arrest to NIBRS
 - ▶ Since charges came down from court, communication is key

- ▶ Scenario: Billings PD arrests an individual on a PFMA Warrant filed by one of their own officers (Req for Prosecution)
 - ▶ Billings PD would report the arrest under the ORIGINAL case number from which it was filed

Upcoming Training

- ▶ January 24th - 45-6-301 Theft & Fraud Additions
- ▶ February 7th - Minors in Possession & Youth in Need
- ▶ February 21st - DUIs - 61-8-410, 61-8-1002, & 61-8-1007
- ▶ <https://mbcc.mt.gov/Data/MTIBRS-Training>

- ▶ Do you have suggestions for future session topics? We'd love to hear them! Please email your ideas to MBCcdata@mt.gov

At this time, we do have the following training topics scheduled – however, there is a possibility that this might change due to the ongoing XML transition and year end data gathering – these are tasks that just take up a lot of our resources and time. We will definitely keep everyone posted!

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